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THE
REV. JOHN MACDONALD'S
CASE STATED;

OR

A VINDICATION OF HIS CONDUCT RELATIVE TO HIS
REMOVAL FROM THE PASTORAL CHARGE OF
THE CATHOLIC CONGREGATION, IN THE
NORTHERN PART OF KING'S COUNTY,

PRINCE EDWARD ISLAND.

AUGUST 1845.



Le Séminaire de Québec
3, rue de l'Université,
Québec 4, QUE.

To His Grace the Archbishop of Quebec.

Your Grace;

I lately received a letter from Quebec, of which the following is an extract:—" Mon Dieu Voilà que
" j'apprends que vous êtes interdit *a divinis*; que
" vous avez vendu ou offert publiquement a vendre
" une église et un Presbytere, que l'on vous assimile
" à un mauvais, Prêtre Mr. Deligny devenu, dit on
" l'opprobre du sacerdoce; que les Protestans sont
" au comble de la joie, et vous regardent comme une
" conquete, tandisque le deuil est danstous les cœurs
" Catholiques de votre Isle; En fin que le scandale
" a pénétré dans la nouvelle Eccosse et le nouveau

“ Brunswick et preuve qu’il arrive au Canada c’est que
 “ plusieurs repètent ici les faits que je viens de signa-
 “ ler. Quand même ces bruits seroient l’oeuvre de
 “ Satan, je sais qu’ils existent et parce là même,
 “ vous êtes coupable puisque vous ne voulez pas les
 “ faire cesser.

In the consciousness of my innocence of those charges, I take the liberty of addressing your Grace, as the head of our Church in British America, and laying before you the proofs of my innocence.

It has lately been my lot to undergo a cruel and unmerited persecution; but as the public of this Island were fully persuaded that I was undeservedly ill-treated, I was willing that all should be forgotten and forgiven; but my enemies, not content with the injuries they had done me in this Island, have been endeavouring to ruin my reputation in other countries, and especially in the neighbouring Provinces.

However callous I might be about my reputation on my own account, as a Minister of Religion, it is my bounden duty to maintain the honour of religion in my person, and not to disgrace my cloth. But my reputation now, and my memory hereafter, is dearer to me than my life; and I owe it to the family of which I am a member, not to suffer any unfavourable reflection to be cast on them, by any imputed or real dishonor of mine.

I had hoped that our Diocesan would have come forward and declared my innocence of the accusations laid to my charge, and thus have prevented the necessity of my coming forward to make painful disclosures. But as Bishop Macdonald has treated my several applications on this head with silent contempt, I have no other alternative left to me but to

make known to the public the whole of my case; and even if Bishop Macdonald had come forward and declared my innocence of all the accusations laid to my charge, the public would ask: *why then did the Bishop deprive him of his Pastoral charge?* Nothing will set my reputation in a clear light but a full exposition of my case.

The proofs of my innocence are :—1st. The testimony of our Lieutenant Governor, who never would have lent his name to any declaration in my behalf, much less would he have penned the following strong letter in favour of any Catholic Clergyman, were not my innocence as clear as the noon day, and had not an honest indignation been roused in his breast by the ill treatment to which I was subjected, though he knew but little of what I suffered. 2d. The evidence given before the Supreme Court, at Georgetown, together with the remarks of the most respectable Editor in our Colony. 3d. The testimony of all the Church-wardens of the four congregations formerly committed to my charge, who, being the most respectable characters of their respective localities, being during ten years the constant witnesses of my conduct, and knowing fully all the particulars of the persecution raised against me, their testimony must be of the greatest weight. 4th. The Petition of the whole of the inhabitants of my four late Parishes—with the exception of those immediately implicated in the riots of March, 1843. Lastly, an intercepted Letter from my successor in the office of Parish Priest in the above four mentioned congregations, to Bishop Macdonald, which throws great light on the nature and origin of the persecution against me.

In order fully to understand the nature of my case, it is necessary that I should premise a few remarks

on the dispositions of some of the people, and on the nature of the discontent and troubles which have disturbed the Island for several years; for some may imagine that the inhabitants of this small and obscure Island, are like those of the neighbouring Magdalen Islands, a harmless inoffensive people, and in their native simplicity. This may be true of the inhabitants of some parts of the Island, but certainly it is not so of the whole, and especially of King's County, in which are situated my late Parishes.

The right to the soil in this Island is owned by a comparatively small number of large proprietors, who reside out of the Island, and the great body of the population pay rent to those proprietors. The obligation of paying rents in this Colony, while all the other adjoining Colonies are free from this obligation, is considered by them a hardship, of which they have endeavoured to rid themselves. In 1831 a regular association was entered into, principally by the inhabitants of King's County, in order to procure the revocation of their grants of the proprietors. No rents, in six townships in my parish, have been paid since 1831. All attempts to recover them by distress have proved ineffectual. Continued resistance is offered to the constables sent for that purpose. The late Bishop M'Eachern, whose age, dignity, long services and merit should have secured to him great influence over them, totally failed in advising them to desist from such conduct: his warnings and admonitions were totally disregarded by them; they took such a hatred at him, that they testified their joy for his death, by parties of pleasure. When in 1835 I took charge of that district, I thought it the most prudent part to keep aloof altogether from their temporal matters; which rule I invariably followed to the day of my

departure from among them, but all to no purpose, for being myself a small proprietor, and being occasionally obliged to entertain the different officers of government, they always looked upon me with a suspicious eye.

From 1835, till of late, the Escheat question was kept alive by regular general annual meetings, which always took place in the month of November; and by frequent district meetings. In one of those meetings in 1836, resolutions were passed, which were in the highest degree treasonable, and are as follow:

3. RESOLVED, That the representations just read, in the draught of a Petition to His Majesty, and agreed to by this Meeting, are truths which cannot be controverted, and exhibit a scene of fraud, deceit and oppression, on the part of the grantees and land monopolists, against the inhabitants of this Island, which in the opinion of religious and reasonable men, is wickedness in the sight of God, derogatory to the honor and dignity of the King and the British Nation, and subversive of the sacred rights of property; that longer to pay rent to such landlords, under such circumstances, and after our repeated prayers for justice, is to foster oppression and reward crime.

4. RESOLVED, therefore, That this Meeting is moved by the sacred obligations of religion—by the honour and dignity of the King and the British Nation—by the rights of men to the fruits of their labour—by justice and equity (the basis of good government, and civilized society), to preserve from the distress of such landlords the fruits of our industry, raised for the maintenance of our families, and the dwellings we have erected for our homes, until His Majesty is informed of the true situation and condition of his subjects in this Island, and his decision obtained according to the merits of the case.

Consequently Sir John Harvey, the then Lieutenant Governor, ordered the names of all the Magistrates, Officers of Militia, Commissioners of Small Debts and of Roads, who were present at that meeting, to be struck off their respective lists; and the three Members of the House of Assembly who were also present, were put under the custody of the Sergeant at Arms during three sessions. In 1837, the High Sheriff was violently beaten by a party of those people, while in the discharge of his duty; at another time, his horse's ears were cut off, and he himself, although accompanied by forty armed con-

stables, judged it prudent to desist. From 1837 to 1841 there was a majority of Escheators in the House of Assembly; the time of the Members, while in session, was mostly taken up in considering the State of the Colony, that is, in debating the Escheat question. The Governors were harassed, the prosperity of the Colony retarded, and much of the public money spent in Crown prosecutions, special constables, and on troops to quell them.

A Delegate was twice sent home to England to advocate their cause: once at the expense of the Treasury, and once by public subscription. Things continued in this state till March, 1843, when the Escheators in my Parish resolved upon not allowing any proprietor or agent to exercise any right to the soil in the northern part of King's County; consequently they bound themselves by oath to be true to one another. They put in possession of a farm a person whom the agent had ejected: they prevented the Surveyor from surveying, as if his employer had no right to the soil: they paraded the country with arms, and other missiles, and sent about messengers to warn all their fellow Escheators throughout the Island to meet them on an appointed day in Charlottetown, the capital, in order to intimidate the Governor, and to frighten him into a compliance with their wishes. Sir Henry Vere Huntley, our present Lieutenant Governor, being aware of all this, immediately despatched fifty armed constables to apprehend the rioters, but knowing it to be useless to send constables among them, however well armed, unless backed by a military force, sent a company of the Rifle Brigade to support them. At the news of the arrival of the troops, the rioters, after having bidden defiance to the Government during twelve

years, immediately took to the woods, in so much that during eight days, not a man was to be found at his home, for the distance of nine miles along the coast. They took it into their heads that it was I that had sent for the troops; and neither the Sheriff, nor any other person could convince them of the contrary. Hence their implacable hatred and aversion towards me.

This short and imperfect account will shew what kind of people I had to contend with.

[The following are the documents before alluded to:]

GOVERNMENT HOUSE, Prince Edward Island,

May 27th, 1845.

My Dear Mr. Macdonald;

It is extremely painful for me to learn, as I do by the letter you have shewn me from your friend in Quebec, that such reports are sent abroad respecting your conduct in this Island, and I can easily understand how much more severely the feelings of your kind hearted friend must be lacerated; I sincerely wish that he knew the whole of your case, and *the infamous falsehoods which have been grafted upon it*; he then would know that, forced as you were, by *outrage and conspiracy*, to leave your Parish or cure, you merely sold such things as you could not take to Tracadie, and which were your own property; he would also know that you never offered, or thought of offering any church or presbytery for sale; and that you have sold neither at any time; he would also know that there is not a Protestant in the Island who regards you as a conquest, and that there is not one who does not deeply regret your absence from the performance of a sacred duty, which you executed with honour to the church, of which all the Protestants, and I can safely say myself in particular, esteem you a most upright, benevolent, and zealous minister.

I cannot, however, agree with your friend in advising you to leave the Island; such a measure, if adopted by you, would be by your enemies represented as a flight from justice, and the ignorant mass of the population would believe and exult in it. My advice is—remain—do what good you can by your example, and as much as possible in your professional character—and trust to Truth

for the rest; you have conscientiously served your God, now rely upon His support. If you are suspended in the performance of your clerical duties, fault has not on your part called for the suspension; your enemies, more than yourself, are to be compassionated; but in flying from them you sacrifice, to fear of human power, when, I think, you should despise all consideration of it, and look above to another and a far higher source *for restoration to that Altar from which you have been so shamefully torn.*

If it will in any way be a comfort to your good friend in Quebec, pray let him know all I have written to you, and believe me, my Dear Mr. Macdonald,

Most faithfully your's,

H. V. HUNTLEY.

The Rev. John Macdonald, Tracadie.

SUPREME COURT, KING'S COUNTY,
JULY TERM, 1844.

THE QUEEN, ON THE PROSECUTION OF THE REV.
JOHN MACDONALD, VS. JOHN MACINTOSH, ESQ.

This cause was tried before His Honor the Chief Justice and a Special Jury, at Georgetown, on Thursday the 18th, and Friday the 19th July, 1844. The Hon. Robert Hodgson, (Attorney General,) and the Hon. Edward Palmer, were counsel for the prosecutor. For the Defendant, there appeared Charles Binns, sen., Esq. and John Little, Esq.

Mr. Palmer opened, and stated the case on the part of the Prosecutor: he observed that although it was necessarily brought as a Crown case, yet it was not prosecuted by the Crown officers *officially*; the learned Attorney General, as well as himself, appearing as the retained Counsel of the Prosecutor, at whose instance and expense the suit was instituted. The offence was alleged at Common Law.

The Indictment charged the Defendant with having, on Sunday the 7th January last, interrupted the Prosecutor, while performing Divine service, in St. Margaret's (Roman Catholic) Chapel, Bear River, and disturbing the congregation then and there assembled.

The Defendant traversed the Indictment.

The first Witness called on the part of the prosecution, was Angus M'Phee, (John's son,) whose testimony was to the effect following: I reside at St. Margaret's, Lot 44. I have known Rev. J. M'Donald twelve years; he officiates as a Priest of the Roman Catholic Church in East Parish. I am one of his parishioners. I have been an Elder of that Church eighteen years; before Mr. M'Donald came there, the Elders had been appointed there always by the clergyman. I never knew any other practice: were always appointed by the priest or bishop; was never done by election. Such mode could not have been done without my knowledge. Defendant is a parishioner of same parish. I was an elder at the close of the last year, and am still. I understood there was some misunderstanding between Rev. Mr. M'Donald and Defendant. On the last day of December, there was mass at the Chapel; Defendant told me that he wished me to go with him to the Priest (Rev. Mr. M'Donald); he said it was his intention to have a meeting next day. We met the Priest. Defendant said to him, "I wish we could have a settlement between us. I do not wish to pass the new year as we did the old." Priest said he was very glad, but he could not attend on the morrow, as he had another appointment for that day, at St. Peter's Chapel. Defendant then said that "as his business would not allow him to attend, they could do without him; but if he could attend, he (defendant) would be more satisfied." Priest asked me my opinion of Defendant, whether I considered him sincere about the meeting; I said I thought he was. The day following being New Year's day, a meeting was held at the Chapel. Priest was then absent. He left with me a letter addressed to the meeting on the subject. I gave it to Defendant at the meeting. A good many attended, who had a feeling against Rev. Mr. M'Donald; a majority consisted of such. Defendant explained to the people how the Priest had used them. I did not give much attention to it. The letter was read to the people; either the Defendant or Mr.

Donald M'Donald, the member, then requested all those against the Priest, to hold up their hands, and then all who were for him to do the same. Most appeared against Priest; *his* friends had not come that day: it was those principally, who were opposed to the Priest, that attended. Defendant proposed that new elders, or church wardens, should be elected, and proposed some himself; and seven, the usual number, were chosen. Defendant, after they were chosen, told them to meet the following Sunday, at Chapel, and warn the Priest to quit the Parish, in a fortnight, or month, as they might determine. Meeting then dispersed. M'Donald, the member, is an intimate friend of Defendant. It appeared to be the object of the meeting, to have the Priest away. The following Sunday, being 7th January, I was at the Chapel, at Bear River. There were more people there than I had seen for a long time before. The Priest had returned home that morning. I saw people present whom I had not seen there for a twelvemonth before. Defendant also; he was not a regular attendant at that Chapel. I had not seen him there for a twelvemonth before: heard he was there once during that time. When formerly he attended, he usually sat on the north side of the Chapel; that day he sat on the south side; there were persons along with him, not friendly disposed towards Priest MacDonald. Mass commenced; when the Latin part was over, Priest had some matters to address the people upon: this is the usual time. Priest said he understood there were some new elders appointed, and that he would not recognize them; that they were improperly appointed, and he only knew the old Elders. Defendant rose from his seat, and begged to be heard. Priest told him three times to hold his tongue. Defendant spoke at first in a moderate tone of voice, then louder, and then louder still; he stood about twenty or thirty feet from the altar. When Defendant would not cease, Priest knelt at the altar, and offered up a prayer for peace; congregation all knelt at the same time. This was not the place, in the order of the service, for that prayer. It was

offered up as I believe to still the interruption; its effect silenced the Defendant. The Priest appeared much agitated. After prayer was over, all rose and walked out. There was no sermon: Priest was interrupted by Defendant when he was going to begin sermon; this prevented it. Whilst I was going out with the congregation, I felt people pushing, and saw Defendant urging his way past me through the crowd. Priest stopped at the door to remove the upright bar of the double doors out of the way, and made his way out, stepping hastily off the steps. Defendant followed him, calling out "coward," or something to that effect. There was like to be a row. When Defendant addressed the Priest at the Altar, he did not look as usual; he looked more fierce. There was a rumour that he (Priest) was to be turned out that day by Defendant and his friends.

Cross-Examination of Witness.—Priest M'Donald officiates in four Parishes, viz: St. Peter's, St. Margaret's, East Point, and Souris. I belong to St. Margaret's; I once saw Defendant at St. Peter's a twelvemonth ago. If he is a good Catholic, he never comes to Mass. When Defendant told me he wished a settlement with the Priest, I thought he was going to make friends, to forgive and to forget; and also that he meant others as well as himself. I thought it had reference to a Public Meeting. The Priest thought the object was peace. I attended the Meeting. Defendant (McIntosh) related his own views: no other person attempted to speak. Mr. Donald McDonald told all who were against the Priest to hold up their hands: nearly all these were in the majority. I was at home on Sunday, the day before New Year's Day.—Priest said at the Altar that there was to be a meeting next day, and that Defendant would tell them what it was about: there were a great many of Priest's friends present then.—I suppose his friends did not attend the meeting next day, because they were already his friends, and they thought it was for Defendant's friends and the Priest to come to a good understanding. I have heard something from the Priest about the rules as to appointing Elders; it

might have been from the Altar. There was about four years ago, a dispute about a seat in the Chapel. It was said then that the Priest was to publish that the people were to choose Elders, with Priest's consent. I heard nothing about the intended appointment of Elders until the meeting on New Year's Day assembled. I was present during the whole of the service on the 7th January. The Priest preached a short sermon before Mass ;—he was to preach after, also—he did not preach the sermon of the day. Defendant spoke when he rose after Priest said he would not recognize the new Elders, and was beginning to preach. I cannot say that the Priest had actually left off speaking on the subject of the appointment of Elders, when Defendant rose and spoke. Defendant spoke first in a respectful manner, but I cannot say Priest told him very peaceably to hold his tongue. I did not hear Defendant say he wanted to know what objection there was to the Elders. I cannot say what Defendant asked to be heard for. We say Divine Service is over after the last prayer is said, and Priest is divested of his vestments.

Re-Examined.—I think Elders were said by the Priest to be chosen by the Parishioners, with consent of the Priest, and a notice given for that purpose, and the Priest to be present. It was said to be the rule in Canada. I never knew it so here. If a notice had been given that the question was to be put, "Whether the Priest was to remain or not," there would have been a very different meeting.

Roderick McDonald examined.—I live at St. Margaret's. Priest McDonald celebrates Divine Service as a Catholic Priest. I have often attended. I was at Chapel on Sunday 31st December ; after service was over the Defendant called a meeting for next day.—I understood it was a meeting concerning the Priest—I don't know that he had any office, in the church. I attended 1st January. Mass was not celebrated. Priest was absent. Defendant addressed the meeting at great length—a great deal against the Priest—Defendant appointed one Elder. They were proposed by different men : the proposers were De-

Defendant's friends, as I understood. Defendant concurred in the appointments. They were addressed by Defendant after being appointed. It was understood they were to meet the next Sunday to warn Priest to leave that place : it was Defendant's instructions. Defendant said if any man then present had any influence with Priest, he had better warn him to be out of that. James McDonald, who was standing alongside Defendant, said : yes, they would, before the next meeting. Defendant did not object when the said so. James McDonald voted against Priest. I was at Chapel 7th January, Sunday, at Mass : Priest preaches before and after the latin part—he generally expounds the lesson after the latin part.—First I knew of Defendant's being in church, I heard his voice, he was standing up facing the Altar : the first words came unexpectedly on me. I heard Priest tell him to sit down. Defendant spoke again, and a third time, and said "You had seven years of this Chapel, and I will have one day of it." Defendant appeared in earnest ; he spoke loud, and appeared much agitated, and particularly the last time he spoke. Priest said "Oh well," and kneeled down at the Altar, and the congregation kneeled too, and the service went on. The preaching would have followed, had it not been for this disturbance. I am sure Priest took this means to quell the disturbance, from what took place, and Defendant and his friends remaining, and the rest going out, I thought the Priest would not be safe. The women got very much frightened. Priest went out: I followed, and saw Defendant close behind him, and heard Defendant call out loudly, and say "You coward, you ungentlemanly man"—moving his arm up and down. I had reason, from what rumours I heard, to fear that there would be a row at the Chapel.

Cross-examined.—On the 31st of December I was at Chapel: there was Mass. I saw Defendant at the door. I think it was that day there was no Mass, 1st January. I did not hear Priest on 31st December say he would recognize any meeting. Very few of Priest's friends were present at the meeting of the 1st

January. I did not vote against the Elders. It was all on one side, none for Priest took any part in the meeting. I saw Priest between 1st and 7th January, and told him what had taken place on 1st., he did not appear well pleased with it. When Defendant spoke on 7th, he appeared very cross.

Hugh Macdonald.—I live at Lot 42. I was at Bear River Chapel 7th January. Priest Macdonald celebrated Mass; Defendant was present: a good number were present. I am in the habit of attending there. Defendant had not attended lately. Priest was at the altar, had said Latin Mass, and then said he would not recognize the Elders lately chosen. Defendant got up and said I beg to be heard. Priest told him to hold his tongue two or three times. Defendant said "You have had this Church seven years, and I mean to have it one day:" he said this very loud: he looked very severe: people took much notice, and got much frightened. I think the prayer that followed would have been in regular course: I cannot say. But the service was not over, only the Latin part of it. He preaches after the Latin service as well as before. I expected to hear the usual sermon that day. I saw Priest coming out hastily, he jumped off the steps and run away. Defendant called out "Come back you coward, and stand your defence," so I took it. Defendant's friends were sitting around him in the chapel, before they came out. They had seats at other times in different places. I am one of the Elders: I was supported by the Priest. They were always appointed by the Parish Priest, and by Bishop M'Eachern, when officiating as Parish Priest.

Allan M'Gilvray —I live at Lot 34, St. Margaret's Parish. I was at Chapel 7th January, Priest said they were not the proper Elders that had been chosen. Defendant said he begged to be heard: he spoke pretty loud. Priest told him to hold his tongue. To the best of my recollection Defendant said Priest had the Chapel twelve months, and he would have it one day. Defendant appeared to me a little vexed; he did not speak very loud, but in an angry tone. I heard him call the Priest a coward.

Cross Examined.—I saw Defendant the whole time; he was speaking and going up towards the altar at the same time. I don't recollect if candles were lighted. Defendant proceeded with the rest, when they went to prayer after the words were said.

Re-Examined.—Prayers are said in English after the candles are put out. It is the usual course in that chapel. I expected the service would have continued longer that day.

James M'Eachern.—I live at Lot 44. I was at the Chapel 31st December. I heard Priest say that a meeting was to take place, and he hoped the people would come and be reconciled; that he could not attend there, as he had an appointment at St. Peter's, but would leave written documents, which, he said, "I hope will do as well." No other object of the meeting was announced to my knowledge. Defendant addressed the people after the priest had gone, and said he considered it Priest's duty to attend next day at the meeting. The letter was read. Defendant got up and stated his grievances against Priest. They then chose Church Wardens: I think Defendant began it. Angus M'Phee said they had better be reconciled—they refused. About six or seven present were of Priest's party, and 60 or 70 of Defendant's. The new elected Church Wardens were told to go to priest and warn him to quit the place. I was present 7th January. Prayers in English sometimes follow Latin service. Priest observed to those who had been chosen, and said, the proper elders are those, pointing to the old ones in the pew. Defendant said they are not the Elders; he then repeated in a louder tone or scream, "They are not the Elders." The Priest appeared as if shedding tears. They then prayed, and all fell on their knees. I think but for this he would have gone on in the usual order of the service.

John Macdonald —I was at Mass 31st of December; heard priest say Defendant was to come forward and the people to make up the differences, and that he could not attend, but would leave his mind on

paper. He said nothing would please him more. If they were tired of former state of feelings, he was ten times more so. Defendant said at the door, I hope you will come, I wont live this twelve-month as the last. I was present next day. The letter was read; Priest stating that he was ten times more tired of differences than they: that nothing would be more pleasing to him than to make up differences, and live in amity. Defendant said that Priest had gone to get a deed of the land on which the Church was, and other charges were made against the Priest. Defendant said it was time to elect new elders: that all who wished Priest to go away should lift up their hands. After the Elders were chosen, Defendant told them their duty. I had never understood that this meeting was for anything but to effect a reconciliation. Seventh January, Priest, after Latin service, (at usual time for notices,) said he did not recognize the elders chosen by Mr. Macintosh, and pointing to the old elders then present, said, these are my elders. Defendant said "I beg to be heard;" and repeated it louder. Priest said he would not hear him. Defendant repeated it a third time with a scream. Defendant said, you have had this Chapel seven years, and now I must have it. Priest then knelt down and made a prayer for peace. Priest came down the north side to the door; I assisted him to take the bar down from the door. Priest stepped off the steps hastily, Mc'Intosh rushed out after him; held out his hands, and called the Priest "no gentleman," and a "coward," sneak, &c., screening himself behind his altar. "*Why don't he come now and inspire us with the Holy Ghost?*"

Peter Cassidy.—I lived with Priest Macdonald. He told me to leave Chapel open for the meeting, on 1st January. I was there on the 7th. Defendant got up and came near to the altar. He looked fierce and spoke loud, and said something about the Priest having had the Chapel long enough, and he would now have it. The Priest seemed concerned, and knelt down at the altar. When the Priest left the Chapel, he followed him out, and called after him,

that he was a coward, &c. Priest, the day before, said he hoped they were going to settle their differences.

Rev. John Macdonald.—I am a Catholic Clergyman, ordained in the usual way in Paris, in 1825, by late Archbishop of Paris. I have a Congregation in Eastern part of King's County. I reside at Bear River. Defendant applied to me on the 31st December, and said he wished to put an end to their unfortunate affairs. I said I could not attend the next day. I asked M'Phee if he thought it was peace Defendant wanted, he said he thought he did. I acceded to it: the difference originated in an impression that I was instrumental in bringing up the troops in the winter of 1843. I had nothing to do with it; there was a prejudice against me because I was a proprietor. I had an appointment at St. Peter's Bay, which I thought it necessary to attend to. I left word to open the Chapel, as I heard there was to be a meeting for peace. They had got up petitions and counter petitions against me. I told them to forget and forgive, and begin the new year in a Christian way. I arrived home 7th January, about half an hour before time of service, and was ignorant of what had taken place. Defendant holds no office in the Church. I thought it my duty to warn the congregation that they should not have two sets of Elders, and that the old ones were the proper ones. It is not customary in the Catholic Church for Laymen to speak when a clergyman is at the altar. No layman has a right to speak. I never saw nor heard of it. Defendant started up and spoke in a very loud voice, and was gesticulating with his hands. I had observed he was extremely agitated. I desired him to be silent. I cannot say what he said; when Defendant was bawling out, I could not speak to my congregation; they also lost their tranquillity. I would have ordered him out, but seeing many of his people around him, I feared a struggle. I could not proceed in the regular order of the service, &c.; immediately knelt down and read the prayer of the day and collect for peace. He was then silent. I was induced to conclude the

service. The prayer was ordinary, but the collect for the peace was not. I should have used the prayer, whether or not, at the proper time. Defendant and his party were in the south aisle, and I went out by the north. I went out to my own house as quick as I could. I would have proceeded further with the service, had I not been so interrupted. I always found that Elders were appointed by the Clergyman; in some places they may follow the Canadian rule of appointment by the people. I think it was in the same Chapel, that something was said about the Canadian rule: was a dispute about a seat. I don't think I could have said anything to sanction the Canadian rule here. I had formerly appointed Defendant an Elder, which he resigned when he became a Member of Assembly.

Hugh Macdonald, Esq.—I am a member of Roman Catholic Church. The practice as to Church-wardens is here always, as far as I know; upwards of 40 years, for the priest to appoint them. I never knew it deviated from. It is seldom or ever allowed to address the clergyman at the altar upon any subject, but to wait until service is over.

Here the Counsel for the prosecution closed their case.

Mr. BINNS here addressed the Court, contending against the effect of so much of the evidence as related to the Defendant's conduct at the Chapel door, and when the Priest was proceeding thence to his dwelling house. He stated that this part of the offence did not come within the Indictment, all the counts of which alleged the act to have been done *during divine service*; and submitted that he should not be expected to give any evidence to rebut this; all of which, he continued, should be withdrawn from the consideration of the Jury.

The *Attorney General* and Mr. Palmer, in reply, contended that such evidence was directly relevant to the issue, and could not justly be severed from the rest. If additional proof was wanting, it served to shew the animosity with which the defendant acted

in the first part, and to explain his object in view in addressing the priest at the altar.

The Court thought the whole might fairly go to the jury, the defendant being at liberty to rebut it if he could.

Mr. *Binns* then addressed the Jury at considerable length.

Alexander, M^r Phee.—I reside on Lot 43. I was at the Chapel at St. Margaret's, the 31st December. I heard that a meeting was to take place on 1st of January. I was at it, but not at the commencement. Defendant was talking of the way in which he was accused by Rev. John Macdonald. I raised my hand, complying with the proposal made in nominating the Elders. At each nomination, those for it raised their hands on one side, and the others raised theirs on the other side. There were seven chosen: one or two of Priest's friends spoke. I was at Chapel on 7th. I was there early. I have served the Priest as Clerk 35 years—only occasionally. On the 7th, Priest commenced with prayers, and then preached on "the three wise men;" he concluded his sermon, and then read latin mass. I consider the Gospel of St. John to be the conclusion of mass—the benediction was given before the gospel. After conclusion of mass, Priest turned round and spoke to congregation, and told them that the meeting on New Year's day, to elect elders, he did not recognize them as elders; but "there are the lawful elders," pointing to those in a pew. Defendant was sitting alongside of me: he got up and stepped forward to the next seat, and resting his hands on the next, said, I would wish to hear how were they not lawfully constituted? Priest then raised his hand and said, "hold your tongue, or sit down;" not in a very high or low tone. Defendant then said, I wish to be heard, and repeated it three times. Priest raised his hand three times: Defendant did not make a noise with his feet, as I heard. I saw no violence in his countenance; he did not raise a hand to my knowledge. I did not consider his voice unusually loud. I have seen people make

remarks to the priest, whilst at the altar, after mass. I consider divine service over after mass is finished; the candles were put out before priest spoke from the altar. In general the candles are put out immediately after mass, unless one be left for a particular purpose.

Cross-examined.—A man from every district proposed an Elder: they were all agreed to it: they raised their hands every time, in token of assent, at the choosing of every elder. The other party raised their hands only once; were only five hands raised. No other question on which they raised their hands: no one opposed the approval of them. Were more than sixty persons present. I wont swear who proposed the first member. Defendant was stating all the accusation he could get from the several parishes against Priest. No division was taken on the holding up of hands on any other question. It could not have been done without my knowledge: the five raised their hands on the Priest's behalf. I know it was on his behalf, because they were against the Elders chosen, and were his relations. Defendant put the question on which the division was taken; it was on the general question, which Elders should be chosen: it has the same meaning. I have seen several elections of Elders in the Parish of St. Margaret's, by the late Bishop McEachern. The Bishop asked the people at Launching Place, if they approved of a particular person for Elder: there was no holding up of hands there. I don't know where Defendant's seat at Chapel is. I have attended regularly at the Chapel, and cannot say how often I have seen defendant there: during last year I believe I did see him there three times. I saw him standing, and told him to sit alongside of me. I had no suspicion of any disturbance. Priest generally preaches before mass, and after mass sometimes: on same day, explains catechism and such like, after mass; when he has not attended one day, it is usual for priest to preach on next day for both occasions. He did not on the 7th comment on the Gospel for two days; he comments on the gospel of the day past, and not on the day

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then present. I never heard him read the two gospels in one day. He might expound both. I won't swear that I never heard priest explain part of the gospel before and part after mass. It would not appear extraordinary to me if he had commented that day after mass also. Defendant's voice was not very loud. Bands are published and forbid at that time, but not discussed then. Defendant said nothing more in the Chapel after he had said three times 'he begged to be heard.' He could not have said anything more without my hearing it. He was not a full pace from me: there was something said about Priest having Chapel for seven years. (Question by Jury.) I consider the mass over then. I did not consider the words as tending to raise a row. Priest generally says a prayer for the day, after mass.

Re-examined.—Defendant did not disturb me. I don't believe women were frightened or disturbed.

Lauchlin M'Phee.—I was at the Chapel 7th January, serving the Priest at Mass. I was at the meeting of the first, when Elders were chosen. On 7th, Priest said the Elders chosen were not from good authority, and pointed to those in a pew, and said they were the elders. Priest had his robes on. I first heard Priest say, "hold your tongue." Defendant said, I beg to be heard. He was leaning his hands on the bench. He said it easy; he said "I beg to be heard," three times. I did not consider the congregation any way disturbed. I did not hear defendant say anything else. He might have said it; but if loud, I must have heard him. Priest after this said the prayer he always says. I have been occasionally clerk 20 or 25 years, I never heard Priest expound two gospels in one day, at the same Chapel, as I recollect. Defendant spoke louder the third time.

Donald Macdonald, Esq.—I live at Lot 44. I was at the Chapel 7th January. Priest preached before mass, on "the three wise men." I considered that he concluded his sermon, then mass; the gospel of St. John ends the mass; benediction was pronounced,

candles were put out; mass is then finished. I call mass divine worship. Priest said the elders chosen were improperly constituted, and said those are the proper elders. I heard a voice, and then priest say, "hold your tongue." Defendant said three times, "I wish to be heard." I saw no disturbance. I heard something more, but could not say what. Priest then turned towards the altar, and Defendant then lowered his voice. At East Point Chapel I have heard Vestry business discussed after mass. I think Divine service was over when Defendant spoke, and that he did not disturb the congregation: there was a lapse of time after Defendant ceased speaking, that Priest offered up a prayer of peace. Priest is excitable; and on that day he did not appear composed before and after mass. Defendant told me that priest was to ratify what took place on that day; were to meet to know whether Priest was to continue, and to appoint new elders.

Cross-examined.—I had heard from several that Priest had announced the meeting, but not whether he told the object. I believed Defendant when he said Priest was to ratify. I don't know whether Priest knew the meeting was to choose elders. I had an impression of the objects of the meeting two or three days before, from communication with Defendant and others. I don't know that Defendant told Priest his object was a reconciliation. I heard that priest was going to leave his opinion in writing. I won't say the meeting did not originate with Defendant. I was doubtful that priest would ratify it. I went to Chapel on 7th, not expecting to hear it ratified; there is frequently prayers after mass and litany. I don't know if Priest would call that Divine service. I think Defendant's object was to argue the point about the Elders. Priest spoke to the Defendant with strong emphasis, and so did Defendant. Defendant did not speak louder than in ordinary conversation. Defendant does not stand very crooked when he speaks. After introducing the subject of Elders, I would have been surprised to hear Priest preach again. I think the prayer of the day a part

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of divine service. I think divine service is over before the blessing.

Donald Macdonald, (Roderick's son). A few years ago, whilst I was elder, there was a dispute about a pew. Priest left some documents with me, to make me acquainted with my duty. Priest told me nothing about electing elders: there was a rumour that elders were elected by parishioners. I believe that defendant heard it, and acted upon the rumour. I was at the meeting, and told them of these documents; and told them that it was my opinion that they were eligible by parishioners. It was not eight years ago, Angus McGilvray claimed the pew in dispute. I was appointed Elder by Priest. I mentioned at meeting about Canadian rules.

[The following is a copy of the letter above alluded to, in the evidence of Donald Macdonald, Esq :]

" My friends;

" I am happy that you propose a reconciliation. In the name of God let it take place. There has been no private or personal enmity between us; it has all been on public grounds, and engendered in false reports, carrying stories and suspicions. I am truly sorry for all that has taken place; but let it be forgotten and forgiven. There is nothing more unmanly and unchristian to be keeping open old sores. You will ever find me for the future, as void of all bad recollections, as the first day I became acquainted with you. I give Mr. John Macintosh credit for having come forward as he has done.

" Glory be to God on high, and peace on earth to men of good will.

" Your's truly,

[Signed]

JOHN MACDONALD.

" P. S.—Let us act towards one another according to the spirit of our religion, and the rules of our Church.

" Let us exchange receipts in full.

J. M'D."

" December 31, 1843.

The Defendant's Counsel having here closed his case, the learned Chief Justice charged the Jury, commenting—although not very minutely—on the evidence given in point of law: he appeared to be of opinion that the appointment of new Church Wardens, or Elders, as done at the instance of the Defendant, was illegal, and that the evidence given of what took place within the Chapel, amounted to an interruption of the service, and a disturbance of the congregation; leaving the evidence, where conflicting, for the consideration of the Jury. The Jury having retired for about an hour and a half, returned with a verdict of Not Guilty.

[The following are the Editorial remarks on the trial between the Rev. John Macdonald and John Macintosh, Esq., before alluded to:]

THE REV. JOHN MACDONALD, vs. JOHN MACINTOSH, Esq.

“ We publish to day the conclusion of the Report of the trial, the Queen on the prosecution of the Rev. John Macdonald, vs. John Macintosh, Esq.

“ In order to condense the matter as much as possible, we have been obliged to omit many particulars in the evidence, which, although not directly leaning upon the offence itself, we would still have liked to have brought before the public. As it is, to many of our readers the subject may not appear to be of sufficient interest to claim the space we have devoted to it.

“ Could we behold a case between a minister of religion, and a member or members of his congregation, consisting of an attempt on the part of either the one or the other, to remove any cause of complaint of a nature simply prejudicial to, or discordant with, religious worship, purely within the sphere of Church government, and remediable by its mild and christian ordinances, in such case we should be the last, we hope, as a public journalist, to step within those pales which should ever be held sacred to peace and divine fellowship among mankind.

"When, however, we perceive the most mischievous public of all evil of the times, approaching the very altar itself, we cannot, in tracing the marks of its hideous footsteps, avoid the consecrated ground upon which we tread.

"We trust, therefore, we need not further apologize to the generality of our readers for the attention we have given, and are thus giving, to the subject. The Rev. John Macdonald is the second son of the late John Macdonald, Esq., of Glenaladale, one of the original proprietors of land in this Colony, and who, with his family, emigrated from Scotland hither at a very early date of its settlement, settling upon his estate; and being one of the very few proprietors who at that disadvantageous period, applied their exertion and means in furthering the settlement of their lands. Mr. Macdonald having received abroad a superior education, was admitted to holy orders in 1825; and during the last twelve years, has been uniformly occupied in his mission as Roman Catholic Clergyman, officiating in several parishes in King's County. He derived a portion of his father's lands—about half a Township—the whole of which he has let upon leases for 999 years; the highest rent being one shilling an acre, sterling. He is known to be very liberal and indulgent to his tenantry. He is, however, in the estimation of Mr. M'Intosh, and his party, a *Proprietor*, and has been bred a *gentleman*.

"Mr. John M'Intosh is a gentleman of Prince Edward Island House-of-Assembly notoriety, being one of the representatives of the first electoral districts of King's County, comprising five Townships of land, two of these, Lots 43 and 44, being the original beds of Escheat; and another, Lot 45, the scene of the riots in the winter of 1843, the bulk of the inhabitants of which Township are native Highlanders. He is one of the three Members of Assembly who subscribed to the Resolutions of the famous Hay River meeting, held in King's County, in 1836; proceedings which Governor Sir John Harvey, from their "dangerous doctrine," was obliged to call to the immediate attention of the House of Assembly at its then next meeting, when they were pronounced by

the House "Calculated to excite the unwary Inhabitants to disloyalty, &c." "To bring into contempt the King and his government, and all connected with the administration of justice." It is true, the Assembly were disposed to mitigate the offence of Mr. M'Intosh, from *his* having, as it then declared, erred more "through ignorance, than design." Yet he had to undergo the punishment which his contumacy brought upon himself. Mr. John M'Intosh is by occupation a farmer, and from the extent and appearance of his "location," as well as his habitation, he may, in this respect, be said to be a faithful representative of the descriptions we have occasionally heard given of the "oppressed and bleeding tenantry" of the Colony. He speaks Gaelic fluently, which, in the opinion of his countrymen, is no doubt an invaluable acquisition for a legislator; but for what other imaginable qualification he has been deemed fit to represent any one or more individuals, other than his own *propria persona*, we cannot conjecture. His attempts at expression in the House of Assembly, we have, for the most part, observed to be the signals for amusement and ridicule: while his indomitable violence, and bigoted obstinacy of temper, subdue any charitable emotions which his grey hairs, and lack of education, might otherwise excite in his behalf. Of the late offence for which he has been tried, the Jury have certainly acquitted him; but it must be borne in mind that he was not tried for a conspiracy, a deep and artful plot to deprive the Rev. John McDonald of his situation, and, if possible, his character also. He was not tried for one of the most matchless pieces of hypocrisy and treachery that man need practise. He was not tried for Blasphemy uttered at the portals of the House of God, and at the very foot, as it were, of the Cross of his Redeemer. For offences such as these, he was not indeed tried; nor of these have the Jury acquitted him. From the nature of this case, we cannot but remark upon the inconsiderateness of Mr. McDonald in allowing his cause to be tried, even by a special Jury in *King's County*; for although it is far from us to insinuate that the Jury in this case (the persons and characters of whom we are totally unacquainted with) have acted by any mean

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contrary to a well meaning conscience; still, while human nature continues what it is, we are too well aware of the great difficulty there must be amongst men of the best intentions in divesting their minds of those prejudices which the enemies of good society, in that County, have, by their art and industry, contrived to raise, and endeavour to perpetuate, against Proprietors of Land in almost whatever respect their interest is concerned. Mr. M'Donald, however, we think has been too confiding. While closely occupied with the offices of his profession, he has not reflected upon the opportunity which, since March last, when the Bill was found against Mr. John M'Intosh, has been afforded for emissaries to do their work in one part of the County, and another in preparing the minds of its Inhabitants for the trial that was to ensue.

[The following is the testimonial of the Church-wardens of the Catholic Congregations of St. Peter's Bay, Bear River, East Point and Souris, all of King's County, in Prince Edward Island, on behalf of the *Rev. John Macdonald*, during the nine and a half years of his ministration among them:]

It is with extreme regret and concern that we, the undersigned, learn that, in addition to all the injustice, ill treatment, and calumnies which our late Reverend Pastor has experienced among us, some malicious person or persons have been—by circulating false reports—endeavouring to ruin his reputation in the neighbouring Provinces. We therefore consider it our bounden duty to come forward and give a full and candid account of all the circumstances connected with his removal from our district; which, in our estimation, will fully vindicate his conduct and character.

1st. We declare his conduct to have been uniform-

ly irreproachable, zealous, mild, affable, disinterested, generous and charitable. We are nearly fifty years in America, and we never enjoyed, to the same degree, the advantages of public worship, religious instruction and consolation, as while he was our Clergyman; nor have we at present, any prospect of the same satisfaction for the future. When he came to reside in our County, there was not a single Chapel which was secure from the inclemency of the weather, or where public worship could, with any decency, be performed, nor any burial ground enclosed: whereas, now, through his very benevolent exertion and pecuniary assistance, there are eight Chapels and Chapel Houses, in a forward state. We have been deprived of his services, in order to gratify the hatred of the escheators. Out of the four congregations committed to his charge, three were perfectly satisfied with him, and attached to him; while the one-half of the fourth congregation, composed of the relatives of the young Priests lately come to the country, and of the Escheators, were opposed to him. The consequences of his removal are, that instead of a few discontented individuals, the whole of the four congregations are dissatisfied, and will never be reconciled to their present Clergyman; for even the Escheators, who were so anxious for a change of clergyman, are not yet satisfied with its results.

Ed. Mr. Macdonald's demeanour towards the party called Escheators, was constantly forbearing, convinced of the inutility of advising them; he observed strict neutrality to those matters; so much so, that they assumed a kind of ascendancy over him, and would feign deprive him of that liberty of opinion, the right of which they claimed and acted upon themselves.

3. We are perfectly satisfied that he was not in the least, either directly or indirectly, instrumental in bringing up the troops to the East Point, in March, 1843. The High Sheriff's own declaration, that he, and he alone, had sent for the troops, is a direct proof of this; moreover, had Mr. Macdonald been the least concerned in this affair, it could not have been altogether concealed; some circumstance or other would have transpired, especially as there were so many on the look out to convict him thereof; nor could he so constantly and stoutly have denied it, had he any participation in it.

4th. The preposterous suspicion of his being concerned in bringing up the troops, together with their implacable hatred against the Proprietary body, of which he happened to be a member, was the only cause of his removal from our parishes. His enemies were the rioters of March, 1843, and their hatred and vengeance dated from that period. Nothing could convince them that it was not he that had sent for the troops; and nothing would satisfy their hatred and vengeance but his removal from their parish.

5th. We must add, that the circumstance of the return to this Island of three young clergymen, natives of this County, added to the number of his enemies; for their relations being a numerous and powerful party, joined the ranks of the escheators, in order to procure his removal, with a design to create vacancies for their own young relatives, and thus enjoy the fruits of his labours and improvements.

6th. We are of opinion that had Bishop Macdonald either altogether kept away from our Parishes, or when he did come, had he discountenanced the proceedings of the rioters, and not held out hopes to

them, peace might have been, by degrees, restored; but publicly to invite the Parishioners to accuse in secret their Parish Priest—which accusations are to this day a secret confined to his own breast—and to act upon those accusations, without giving the Priest an opportunity of refuting them, has been the source of dissensions and scandals amongst us, to which we see no prospect of an end.

7th. Mr. John Macintosh, M. P. P., the leader of the Escheators, immediately after his secret conference with the Bishop, publicly made known that the Bishop advised a petition to be got up against our Parish Priest, which was accordingly done. This petition was immediately followed by a strong and numerous signed counter petition; thus the evil was increased, the breach was made wider and wider, and the public mind greatly excited; nor has it subsided to this day.

8th. Although four months had elapsed between the riots, and the Bishop's visit to St. Margaret's, the persecution against Mr. Macdonald did not assume a regular organised and systematic character till after the Bishop's secret interview with the leader of his enemies.

9th. When the Bishop came to St. Margaret's, he did not inquire into the real causes of the disturbances: he made no enquiries of the most sensible and respectable inhabitants, who were impartial spectators of what had taken place, but confined himself to the flying false reports which the rioters had, in their angry feelings, and disturbed imaginations, put in circulation throughout the country.

10th. It cannot be denied that the Bishop favoured the proceedings of the Escheators, against Mr. Mac-

donald. He paid no attention to a petition in his behalf, although it bore the signatures of Six hundred and seventy heads of families; while he acted upon Mr. Macintosh's petition, which had not more than twenty names to it. Every sensible, thinking person in the Island, that knew any thing of the affair, was satisfied that he favoured them; and when they ascertained his flexibility, it inspired them with such courage, that before the contest was over, they had accomplished—backed by his support—what at the outset they would not have dreamt of.

11th, On the 1st of January, 1844, under the pretence of effecting a reconciliation, Mr. John Macintosh, with his followers, obtained admission into the St. Margaret's Chapel; on his own assumed and unwarranted authority, appointed Church Wardens, and passed strong resolutions for the immediate expulsion of Mr. Macdonald from the parish; and on the 6th of January following, at the head of a party, he interrupted divine service, endeavoured to lay violent hands on the Priest, and uttered the most unbecoming language.

12th. It then became the general opinion, that in order to vindicate the sanctity of the altar, and protect the liberty of divine worship, it was necessary to prosecute Mr. Macintosh, and his associates; accordingly the ringleaders were bound over to keep the peace, and a Crown prosecution was instituted against John Macintosh, by the Grand Jury of the County, for disturbing and preventing divine worship. The whole of the trial was in Mr. Macdonald's favour, and the Court and the public expected that the verdict would be accordingly. But the verdict depended on the Jurors, and was lost owing to the party spirit of

some, and the ignorance and stupidity of the others. Some afterwards declared that they had not consented to the verdict; and others, that they considered the verdict decided by a simple majority: one in particular, pursued by the remorse of his conscience, came the following day to the Attorney General, to protest against the verdict, to which he declared he had not consented: but it was too late. However, this trial was of eminent service to the escheators; they were never afterwards so daring; it taught them that they were accountable to a supreme tribunal for their doings.

13th. We can bear testimony that the moment another clergyman was appointed to the Parish, Mr. Macdonald abstained from all pastoral duties, and merely remained in his own house at St. Margaret's, which he himself had built with his own money, and which the Bishop told his Church-wardens he was at full liberty to do, and that until he could find another home: hoping also that some remuneration would be made to him for the great outlays which he had made there.

14th. We are of opinion that his outlay at Bear River, on the Chapel, Chapel land, Dwelling House, Out-buildings, &c., amounted to the sum of £1000, which we know he made in the hopes of enjoying the benefit of them for life, or until he would give them up with his own free consent, never dreaming of the possibility of being so unceremoniously treated as he has since been.

15th. We can vouch that he offered to the Congregation at St. Margaret's all his improvements, and interest in the place, for the half of the amount which they cost him, and to accept of yearly instalments of

£25, without charging interest, till the whole would be paid. We blame, and many even of Mr. Macdonald's enemies are highly incensed with our present Clergyman for having prevented the parishioners from accepting Mr. Macdonald's offer, by making them believe that he could obtain for them possession of the house for nothing, as he had of the Chapel; which also was built, in a great measure, with Mr. Macdonald's money.

16th. We are confident that had not the Rev. Mr. Francis, goaded on our late Pastor, he would not have removed his buildings. In order the more effectually to obtain possession of Mr. Macdonald's house, without remuneration, he procures a suspension from the Bishop to compel him to give it up: thus in his letter to the Bishop, of the 19th September, 1844, he writes: *but as to the suspension of those two worthies—meaning Macdonald and McIntyre—there must not be two ways about it!* which demand the Bishop instantly complied with; and six weeks after, Mr. Macdonald had given up the Bear River Chapel, removed the most of his furniture, gone to reside at Tracadie, and merely kept possession of the house till the whole of his property there could be removed, he is served with a suspension for retaining the Chapel, Chapel land, &c. Thus the Chapel was given up on the 24th October, 1844; and on the 10th December following he is served with a suspension, which commences thus:—
 “Whereas you persist in refusing to give up possession of the Chapel, and Chapel land of St. Margaret's, I do hereby withdraw from you every faculty, &c.” Consequently the suspension was unjust, and without grounds, designed to gratify vindictive feelings, and to affront Mr. Macdonald in the eyes of the public.

17th. The land called Chapel land at Bear River, is in a perfect state of jeopardy, and is really a bone of contention. No person has a legal title to it, nor can any one give a legal title of it. At present, the late Bishop M'Eachern's relations are at law with the present Church-wardens about it. The latter, on the strength of the late Bishop's Will, which is neither signed, witnessed, nor dated, and is but a mere attempt at a Will, swear that it is public property, while they refuse to allow it to be worked on the halves by the Bishop's Nephew, to whom the late Bishop in that same Will left it to be worked upon shares, while he chose to work it. Thus they follow that imperfect will as far as it suits their purpose, and no farther. The late Bishop M'Eachern himself had not a legal title of it. When Mr. Macdonald entered into possession of that land, the twenty acres of which it consists, were not worth more than Thirty pounds, it being most in a wilderness state; and during his ten years of residence there, he invested thereon to the amount of One thousand pounds.

18th. There cannot be a greater falsehood than that the Rev. John Macdonald offered the St. Margaret's Chapel, or any other Chapel, at public sale; in order to be convinced of this, it is sufficient to read the public prints, in which no such offer of sale occurs. He did indeed offer for sale his own house, out-houses, garden, &c.; but we well knew that his object was to excite the congregation to come forward and purchase his improvements and interest in the place. We knew well that he could not give a legal title of it; but there was no one that had a better title, nor a greater stake in it. We took no offence at his so doing; we considered it quite right that he should endeavour, as much as it lay in his power, to

prevent a total loss of his property; and since especially the Bishop had acknowledged in writing his right to the buildings, while he was for depriving him of the surrounding ground, he was at full liberty to dispose of them to his pleasure, according to the well known saying: "that every one hath a right to do with his own as he chooses."

19th. We cannot conceive how the Bishop could, in justice, insist on Mr. Macdonald's leaving at St. Margaret's, in 1844, as good a house as he found there in 1835. The Chapel house there of 1835, the dimensions of which were 32 feet by 26 feet, was deficient in every part: it was not proof against either wind or weather: it was dangerous to live in it: if not thoroughly repaired, it would not have stood two years: it was no fit place for the residence of any gentleman: it was valued by the Church-wardens at £20. The Bishop makes no allowance for wear and tear. The best thing that could be done with such a house, was to put it out of sight at once, by demolishing it; and the least thing that in justice we should have done him, since we did not procure him a sufficient house, was to have allowed him a yearly sum for house rent.

20th. We never heard, nor do we think that the Bishop ever advised or exhorted the Parishioners to purchase Mr. McDonald's improvements, or make any allowance for them.

21st. A more malicious calumny could not have been invented, than that the Rev. John Macdonald should have manifested the least disposition to abandon the Catholic faith or church, and join the Protestants. God alone is witness of his inward sentiments; but as far as we can judge, he is as strong in the faith which

he professes and inculcated, as any clergyman that ever we were acquainted with. The first mention of this calumny made on this Island, was when the news came from Quebec that some malicious calumniator had been writing thither to that effect. Whoever that calumniator is, he will not attempt to propagate such calumnies here, where they would meet but with little encouragement. It seems as if his enemies were disposed to invent against him all the calumnies which they had any hopes would be accredited or believed by the public.

22d. Although Mr. M'Donald has received of ill-treatment what might have shaken the faith and affected the mind of an ordinary man, we bear testimony that he has borne all with extraordinary patience, and firmness of mind, so that the persecution which he has suffered, has raised him in the esteem of all impartial persons.

23d. As to the payment of the tithes, since Mr. M'Donald was eighteen months in our district without receiving a tithe, we considered it his right to receive a tithe for the last year of his services. Our natural sense of justice teaches us that he was entitled to a tithe for every year of his services. It was not he that first asked the tithes of his last year of service, but we that offered them to him as his right. But this point, like every other, was decided against him.

24th. We cannot but lament that Bishop M'Donald should have authorized the two Priests, M'Donald's successors, to take possession of his fields of grain in the month of September, and that those gentlemen should first make pasture fields for their horses of those same fields of grain, and then hire servants to mow them down for their own benefit: for which those servants were prosecuted and fined before the

Magistrates. We record our horror of such conduct!!
What a scandal in two young Clergymen, towards a
senior brother Clergyman of twenty years standing !!

Lastly, we cannot avoid noticing the inhumanity
and cruelty of compelling him, by Church censures,
to evacuate his premises in the very depth of winter,
amidst of frost and snow, when his cattle, fodder,
potatoes, and other vegetables, could not be removed
to the distance of thirty-three miles, without a great
loss, inconvenience and expense. Where are the
effects of their College education, christian charity,
and clerical brotherhood? Had a cruel enemy landed
on the coast, he could not have been put to greater
straits. Well might the Rev. Mr. Francis's octoge-
narian father have exclaimed, when he heard of this
treatment: " 'Till now I thought all Clergymen were
brothers, but I perceive that there are not more
bitter enemies than they are towards one another."

In testimony of the truth of the above facts, we
here subscribe our signatures.

Elders of St. Peter's Bay Chapel.

Dugald M'Isaac, Ruling Elder,
(Appointed in 1825, by the late Bishop M'Eachern.)
Edward Doran, Elder.
Donald M'Mullin, Elder.
Hugh M'Kinnon, Elder.
Angus Macdonald, Elder.
Angus Steele, Elder.

Elders of St. Margaret's Chapel, Bear River.

Angus M'Phee, Ruling Elder,
(Appointed by the late Bishop M'Eachern, in 1826.)
James A. M'Eachern, Elder.
Hugh Macdonald, Elder.
Joseph M'Cormack, Elder.
John Ryan, Elder.

Elders of St. Columbus Chapel, East Point.

Ronald Macdonald, Ruling Elder.

William Collins, Elder.

Andrew M'Eachren, Elder.

Emanuel M'Eachen, Elder.

Elders of St. Mary's Chapel, Souris.

Angus Macdonald, Ruling Elder,
(Appointed by the late Bishop M'Eachern, in 1833.)

Malcolm Campbell, Elder.

Francis Lavie, Elder.

John Logue, Elder.

John M'Isaac, Elder.

[Copy of the Petition to Bishop Macdonald, in October, 1843, in behalf of the Rev. John Macdonald, by the members of the Catholic Congregations of St. Peter's, Souris, Capes, and East Point.]

May it please your Lordship;

The Petition of the undersigned respectfully sheweth:—

That it is with concern and regret they learn that they are about to be deprived of their Clergyman, who has so faithfully laboured among them during upwards of eight years.

That the Rev. John Macdonald possesses the unlimited and unbounded esteem and confidence of the whole of the above four congregations, with the exception of a few individuals in one settlement, who having been, by designing persons, led out of the path of order and duty, are in desperate circumstances, on account of arrears of rent, and are in conse-

quence as desparate in their conduct, setting at defiance all laws, human and divine, harassing the government for a number of years, by their lawless and outrageous conduct, and giving a bad name to the whole of the northern part of King's County.

That since neither the late revered Bishop MacEachern could, nor our present clergyman, can please the above few individuals, it is their candid conviction that no clergyman whatever, who adheres to his duty, can possibly please them. That the disagreeable recollections, and angry feelings arising from the unfortunate disturbances of last winter, which were occasioned by some ill-informed and inexperienced people allowing themselves to be incited by the above ringleaders to violate and disturb the public peace; and in which our Clergyman took no part whatever, on either side, are fast dying away, and that peace and harmony are happily being restored.

That as Mr. Macdonald has expended upwards of £1000 on Chapels, Chapel-house, &c., they consider it the very height of injustice to deprive him, without any reason, of the benefit thereof, without allowing him any compensation.

That the momentary discontent excited against Mr. Macdonald, in the disturbed district, wholly originated in foul calumnies and malicious misrepresentations, which have met with their deserved fate.

And that therefore since their Clergyman is attached to them, and they to him, it is their ardent wish and request that he should be continued among them; and they will, as in duty bound, ever pray, &c.

[In four days this Petition received the signatures of Six hundred and seventy heads of families—that is, of all the members of the above four congregations, the rioters and their adherents excepted.]

[The following is a copy of an intercepted Letter, written by the Rev. F. J. Macdonald, and addressed to the Right Rev. B. D. Macdonald, Bishop of Charlottetown, alluded to in the third page of this pamphlet :]

Launching, September 23d, 1844.

My Lord;

I sent Mr. M'Phee to Souris yesterday: he brought me the news I anticipated. Mr. M'Intyre has organized his friends to petition in his behalf: it will end in the downfall of religion there. I told you so; you would not believe me, but *considered me suspicious of Priests' doings*. Father John is moreover going on very well collecting tithes. I was sent to establish peace, and the engines of discord still moving. These two Priests are still preaching, and saying mass there. As to the tithes, it will be only curtailing our support. We will get over it; *but as to the suspension of these two worthies, there must not be two ways about it*. Call M'Intyre down for fear he would attempt to remain in one of the Churches. Mr. M'Phee could carry your letter to him. You can manage Mr. M'Intyre's petition as you think proper; but before you get rid of him he may give you annoyance. The bearer will bear testimony to what I say. Get him once away, *and then we will try to match the other fellow*. I do not feel uneasy, because I told it would come to pass.

Your's, my Lord,

with respect,

F. J. M'DONALD.

P. S.—Your presence, my Lord, is required there. I think it would be proper that you would come to St. Peter's next Sunday, as above.

[Remarks on the above Letter of the Rev. J. Francis Macdonald, of the 23d September, 1844, to Bishop Macdonald:]

My object in publishing this letter is to shew that the Escheators were not my only enemies; and that a conspiracy or plot against me existed elsewhere.

First. This epistle is authentic: it is in the Rev. J. Francis Macdonald's well known hand of writing. He himself does not disown it. It was the Rev. Mr. M'Phee that was the bearer thereof to the Bishop, then at St. Andrew's College. It was this letter that brought the Bishop from St. Andrew's to St. Peter's Bay Chapel, on the 29th September. The author of this letter has attempted to deny that the Bishop had ever received it. But after having owned such a production, who could put any further dependance on his veracity? Nor has he been believed by any one. He has made himself only the more odious and contemptible, by having recourse to so miserable an excuse. Mr. M'Phee, the bearer of this letter, blames the Bishop for not having taken better care of it.

I came honorably by this letter. I accidentally found it on the table in the parlour of the Chapel-house at St. Peter's Bay, where the Bishop had unfortunately forgotten it. I had not then given up possession of that house, a part of my furniture was still in it, and consequently had a right of ingress into it, and was no intruder there. When through mere curiosity I took the letter into my hands to read it, little did I suspect the nature of its contents.

Up to the discovery of this letter, the Rev. J. Francis Macdonald had always pretended to be my friend; on all occasions he took my part, and the public considered him as such. He was in the habit of frequenting my house, and we were on terms of intimacy.

But no sooner did its contents become known, than both my friends and my enemies were shocked and disgusted at his hypocrisy and treachery, and they could never since bear the sight of him.

It is remarkable that though this untoward epistle has cost him his reputation for life, Bishop Macdonald has not attempted to exculpate him. If the authenticity of this letter could be disproved, it would be no small advantage to the Bishop himself. If he never received it, why not declare it at once? Why not shield his favourite Priest? One word would do it. But as he could not do it in truth and justice, he chose the wisest course, that of silence.

The stile and tone of this letter, as will appear to every one, is full of presumption and effrontery. It is not that in which a Priest should address a Bishop, or a Bishop a Priest. It is not the stile of one gentleman towards another, or of one honest man to another. He could not offer the Bishop a greater insult than to address him such a letter. The Bishop had every reason to be offended with him, and to ask him: *whom do you take me to be?* Could there indeed be a greater insult to a man of honor and honesty, than to propose to him to be the chief actor in an affair of villainy.

However, the Bishop did not think the less of him for having sent himself such a letter, for on the same 29th of September, while he had it in his possession, he recommended him, in the strongest terms, to an immense congregation assembled from all parts of the country, and declared him to be the Priest in his diocese in whom he had the most confidence.

Though this epistle does not fully lay open the dis-

position of its author, it gives a partial insight into his character, sufficient to shew that the Bishop was paying no compliment to the rest of the clergy of his diocese, in giving him the preference over them all. It must be admitted that the Catholics of Prince Edward Island are to be pitied, who are committed to the spiritual charge of a body of clergy, each of whom is inferior in merit to him from whose heart emanated this most unchristian letter.

One would suppose that the Rev. J. F. Macdonald would not have presumed to address his Bishop such a letter. But had he not previous assurances that the Bishop would take no offence thereat? Had he not already sufficient proofs of his hostility to me? Had he not had several conversations, and perhaps letters, from the Bishop to the same purport as this letter, which had encouraged him to write in this stile? "I told you so before, but you would not believe me, but considered me too suspicious of Priests' doings." He knew well to whom he was writing when he said: *we will then try to match the other fellow.* Between them they have been an overmatch for me, as the event has since proved.

Bishop Macdonald was always very careful to conceal from me the accusations of the Escheators, and of the young Clergymen, who, from the Bishop's own acknowledgment to Mr. Macdonald, of Prospect-hill, had laboured more for my ruin than the Escheators themselves. But as murder will always out, so will dark and foul conspiracies.

This letter is a clue to the whole of their proceedings. Who on reading it will not come to the immediate conclusion that a conspiracy did exist against me? Thus there was an understanding between the Clergy and the Escheators to expel me from the

clerical ranks. The Bishop declared to two particular persons, to Mr. Macdonald, of Prospect-hill, and to another person, that on account of the innumerable accusations of my parishioners, he had no alternative but to proceed against me. But should he not have first ascertained whether those accusations were true or false: whether or not they were calumnies? Should not my enemies have produced some proofs of my guilt besides their own mere assertions? Should I not have had some chance or opportunity of vindicating my innocence? That *no one is presumed guilty, till he is proved such*, is an axiom of criminal law. If to be accused is a sufficient criterion of guilt, who can for a moment be safe? If the accusations against me were founded, why were my enemies—the Bishop included—so careful to conceal them? What is right fears not the light. Besides private applications, there were no fewer than four public deputations or cavalcades to Rustico, some of which were composed of more than thirty persons, insomuch that during the summer of 1844, when a number of horsemen were seen on the high road, the people would immediately say: there are the Capes people going to the Bishop to complain of their Priest! The public must suppose me guilty of some gross immorality, since the indignation of my parishioners was thus roused against me. They must be confirmed in their suspicions when they afterwards saw me deprived of my charge: and as it is not yet known why, the offence will naturally be considered *grievous*. I have lately learned that during the heat of the persecution against me, the Escheators and young Clergymen were whispering among themselves some very serious accusations against my moral conduct, which I could never properly come at, and which I am positive came to the

Bishop's ears, and were undoubtedly swallowed down by him as truth, though he observed a strict silence regarding them. Every means, however foul, to extirpate me, root and branch, was, in their opinion, justifiable.

It is the practice of all tribunals, spiritual and temporal, to give the accused every opportunity of defending himself, and of vindicating his innocence. Thus when the Chief Justice of St. John's, Newfoundland lately sent home to England, to Lord Stanley, grievous accusations against Sir John Harvey, Governor of that Island, Lord Stanley immediately enclosed to Sir John the Chief Justice's autograph containing the accusations, adding, that if he could not refute these accusations, he would forfeit his government; but that if he could, the Chief Justice would forfeit his seat on the judicial bench. This is as it should be. But it is not so that Bishop Macdonald acted towards me. I am accused, the accusations are concealed, and no enquiry made into the truth or falsehood of them. I am removed, and a futile reason of expediency is assigned for my removal. By keeping secret the nature of the accusations of the Escheators, the Bishop screened them from the odium of being calumniators, and from other disagreeable consequences to which they were liable, were their accusations known. He also furnished himself with a plausible pretext for proceeding against me. If their accusations were once known, they would have been instantly refuted, and a hue and cry raised against the calumniators; nor would the Bishop have presumed to act upon such information. The little part of their secret correspondence which did come to light, reflects but little credit on both the writer, and on him to whom it was written.

Not only did the Bishop encourage accusations against me, and screen the accusers, but also discountenanced and refused to listen to any representations in my behalf. When two of the most respectable individuals in King's County waited on him with a petition in my behalf, signed by Six hundred and seventy heads of families—that is by all the members of the four congregations, the rioters of 1843 excepted—he received them very ill, and asked them, in an angry tone, what right they had to interfere between him and any Priest? But had they not as much right to interfere in behalf of a Priest, as M'Intosh had wrongfully to accuse a Priest? Were they not in duty bound to uphold the honour of religion in the person of its minister, while they could do it with a clear conscience? If he had had proper feelings himself, should he not have done the same? It was not so that M'Intosh was received by the Bishop when deputed to accuse me. He is publicly invited to accuse: he is encouraged and screened.

From March, 1843, to January, 1845, all agitation against government had ceased. The whole of their energy, skill, and twelve years experience in agitation, was concentrated against me alone. Their fury was increased by their despair of ever obtaining escheat: by their hatred towards me as a proprietor, and a friend of order: by the disgrace of troops having had to be sent after them, and that their cowardice in fleeing to the woods at the approach of the troops, was revealed to the world: and lastly, by the hopes, through the Bishop's pliancy and favour, of ruining me.

I am represented in an unfavourable light, both in Rome and in Canada, where they knew that an attack on my reputation would affect me most. I am aware

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that calumnies are believed of me in the latter place, and have been for upwards of twelve years, which it would be too painful for me to undertake to refute; and under which I must lie, not only till the hour of my death, but until my memory is entirely obliterated: and on account of these calumnies all the Bishops of British America are shy towards me. It was an unfortunate day for me that ever I returned to America. If I had remained in Europe, I should have been esteemed according to my merits: and in this respect I was happy till I had the misfortune to return to my native country. Not being able, and being afraid openly to assail my moral conduct, they have, on account of my civility to Protestants, thrown doubts in other countries on my faith. I am actually considered in Canada, and probably elsewhere, as almost a conquest to Protestantism. I have twice received intimation of this from Canada.

From September 1843, till August 1844, the Rev. James McIntyre continually interfered, without any authority, in my district or parish, undermining me, and endeavouring to obtain there a footing for himself. He was, as it were, the chaplain of the Escheators; during which time the Students of St. Andrew's College, committed to his charge, being mostly without a master, were losing their time, going by night to dances and parties of pleasure; and when at home, entertaining their relations and friends, at the expense of the College.

I wrote to Mr. McIntyre, begging of him to desist interfering in my district, on account of the injury he was doing me. His answer to me was, "that he would not; that he would report my doings to the Inquisition at Rome, and that tyranny and oppression

were the coat of arms of my family." When I gave up my parish and came to reside here at Tracadie, the Bishop armed the Rev. James Brady with a suspension against me, in case I should presume to perform any clerical functions within his district. I do not complain of this. It is all right! But why did not the Bishop in the same manner prevent Mr. McIntyre from interfering continually, during a whole year, in my district, and fomenting discord therein, while he was neglecting his own duty? This shows that I have no justice or equity ever to expect in this diocese, and that consequently, I have every reason for never doing duty in it. Lastly, the students from St. Andrew's College, in this Island, sent to Rome, and to Canada, are that inveterate against me, that by their unfavorable reports, they have poisoned against me superiors of their respective establishments; and also the students from Nova Scotia and New Brunswick. What have I done to deserve enmity so unrelenting? I appeal to the impartial and candid public, if, as a Clergyman and a Proprietor, I have not been, as far as the sphere of my usefulness extended, a benefactor to the community. There is not in the whole Island a body of settlers who enjoy such advantages as my tenants, and are so kindly treated. And as a clergyman, the testimony of my Elders and parishioners will vindicate me. If my enemies could substantiate any accusations against me, it would not be in the dark that they would be accusing me; their accusations would have resounded long and loud. Amidst all these persecutions I am supported by the testimony of a clear conscience: by the good opinion of all upright and impartial persons.

[After several applications to Bishop Macdonald for an approval or condemnation of my conduct, I at last received the following letter:—]

Rustico, 27th June, 1845.

Rev. Sir,

In reply to your letter of the 21st inst., demanding a peremptory condemnation or vindication of your conduct while in charge of the pastoral care of the missions at the East Point, I beg to observe, that I never condemned your conduct in that situation; on the contrary, I believe I did all in my power to uphold it in the eyes of the public, unless, indeed, you regard as condemnations the private advices I may have given you, or the representations I may have made to you, also privately, in reference to how you should act amidst the daily increasing difficulties you met with in discharging your clerical duties; you must then allow me to say that it is quite unreasonable you should ask me to vindicate your conduct from the attacks of all those whom you may consider as bent upon injuring your reputation as a clergyman, or otherwise.

With regard to your removal from the missions of the East Point, the necessity of which was intimated to you by letter in the Autumn of 1843, but verbally several times previous to that period, and finally insisted in 1844. None of my communications to you on that subject contained any charge against you, which could be construed into any thing disreputable to your character. My letters to you on the foregoing subject, dated 15th October 1843, and 8th July 1844, respectively, merely stated some of the reasons which necessitated your removal, and urged on you a willing acquiescence in its propriety, (your ministry

at this time having been useless to a great number of your parishioners, who would not even assist at your mass,) but by no means accused you of crimes. Had charges of such a nature been brought against you, I would not, without a thorough investigation, and satisfactory acquittal, have offered you, as I did at each time I urged you to leave the East Point in 1843 and 1844, other missions in different parts of the Island, all of which you declined; and if now you find yourself without any care of souls, it is yourself, and not me, you have to blame for it. Such being the case, why pervert the main features of my proceedings? What can be meant by those outbreaks and strong expressions of yours, "deprived of your pastoral charge—suspended from your sacerdotal functions—treated as a criminal—cashiered—deprived of your reputation," &c. The foregoing remarks refer to you till the time you resigned your charge of the East Point missions. Since that period certain acts, which grieved me considerably, were attributed to you, one of which occasioned your temporary suspension from saying mass: of these acts I shall say nothing at present, and as you followed the promptings of your own will in them, and seem to have gone its full length, you should, I think, remain contented till those, (if any) whose interests have been aggrieved, think proper to make inquiries into the propriety or justice by which these acts of yours can be sustained. Hoping the above will give you every satisfaction you can reasonably require, and that the same subject shall be no more reverted to,

I remain, Rev. Sir,

Your very obdt. & humble Servt.,

B. D. MACDONALD,

Bishop of Charlottetown.

[Remarks on the above letter of Bishop M'Donald's.]

By this letter the Bishop would feign smoothen down things ; but the above incontrovertible facts, which are public and notorious, are stubborn things.

First. He says that " he did all in his power to uphold my conduct and reputation." There are but few intelligent persons in King's or Queen's Counties who, upon hearing that the Bishop claims the merit of *upholding my conduct and reputation*, but what will feel inclined to smile. He did indeed uphold—but whom? my enemies! If he upheld me, it was in the wrong way ! He surely never expected this letter of his to become public, when he penned those words, "upholding my conduct and reputation," for the contrary is clearer than the noon day.

Second. He says that he gave me private advices, and made private representations to me. I absolutely deny it : he never gave me any private advice or support, especially in this matter, nor made a single representation to me: He should indeed have done so; but he did not do it. From his conduct at Bear River in July 1843, I could clearly perceive that he was in the interest of my enemies, and that his only object was to get matter of accusation against me. I knew well, that whatever befel me, I had no protection, justice, or support, to expect from him. His first letter to me afterwards, was dated on the 27th of September following, warning me to leave St. Margaret's in a month's time. His next letter to me was written in July 1844, ordering me to prepare for my immediate removal: my fate was decided upon between himself and my enemies. He never appeared to be but in the light of a criminal officer.

Third. He says that "none of his letters contain any charge that can be construed into any thing disreputable to my character." He took good care that he would not give me that much fair play as to acquaint me with the charges made against me, but his conduct supposes such charges. Moreover, he acknowledged to me at St. Andrews, on the 28th June, 1844, that when M'Intosh preferred his accusations at Bear River, in July 1843, he told him to commit those accusations to writing, and to procure a certain number of responsible signatures to them, as he could take no notice of mere verbal accusations. This M'Intosh did; and, in the following month of August, accompanied by Angus M'Cormack, of Big Cape, M'Intosh went to Rustico with his list of accusations. A month afterwards I was ordered, without knowing for why or for what, to vacate St. Margaret's Chapel premises. I ask any candid and equitable person if the Bishop intended merely to fulfil the duties of his station, if he should not have acquainted me with the nature of M'Intosh's accusations? Was it not his duty to make them known to me? and had I not a right to know them? Will he say that this document was a mere sheet of blank paper—a *carte blanche*? During the following year, from July 1843, to August 1844, there were no fewer than four public deputations or cavalcades to Rustico, to accuse me. After having gone the distance of fifty miles for that express purpose, is it to be supposed that they did not prefer any accusations? Did they merely go to perform Pantomimes before his Lordship's door? He twice acknowledged to Mr. M'Donald, of Prospect Hill, that there were loads of accusations against me. The rioters knew well that they would always be listened

to at Rustico; and had not those accusations been false, they would not be secretly whispered into his ears, but would be published from the roofs of houses. Within two months ago the Bishop—being out of humour with the above rioters, on account of the ill reception they had given to my worthy successor—he told them that they needed not go any more to him with falsehoods to Rustico !! It was only against me that deputations had gone to Rustico. How are those contradictions to be reconciled ? He also told them that the fault lie wholly with themselves, and not with the priest, meaning me. It is rather late to acknowledge a person's innocence, after he has been made to suffer the extreme punishment of the law.

Fourth. The Bishop assigns as the sole reason of my removal, " that my ministry had become useless on account of the great number of my parishioners who would not even assist at my mass."

For this result he himself, together with the young clergymen, is greatly, if not chiefly, to be blamed. The people indeed were bad, but they turned their badness to account. Previously to the Bishop's visit to Bear River in 1843, the chapel was well attended. A few indeed of the ringleaders, since the disturbances of the month of March previous, had abstained from divine service; and among others, Mr. M'Intosh had not frequented the Chapel for the last seven years; neither did he for many years previous to Bishop McEachern's death; for in 1835 I conditionally baptized a child of his, who was about five years of age. So inverebrate was he against the late Bishop, that he would not allow his child to be baptised by him: it had received private baptism in its infancy, from a blacksmith Nor has Mr. M'Intosh been at

the St. Margaret's Chapel on any Sunday since I gave it up in last October, except on the 1st of January last, for the express purpose of encouraging the sale of the seats, in order to raise money to prosecute me for having removed my house. Even after the excitement caused by the petitions, which the Bishop had himself set on foot, and which had set the congregation at Bear River in array against itself, the number of hearers had not sensibly diminished; but after the outrage of the 1st of January, until my final departure in October last, the chapel was but thinly attended. It was their final manoeuvre in order to break me down and ruin me, to refuse the payment of the tithes, and to abstain from availing themselves of my clerical services, especially assisting at divine service. Among those who absented themselves, there were many who did so through fear. At the instigation of their ringleaders they had compromised themselves with the Government, with their Landlords, and with their Clergyman; and they had to obey them, under penalty of being deserted by them. Moreover, the young clergy were frequently interfering, and celebrating divine service within my district, and thus drawing the people after themselves. When Mr. M'Phee, being a deacon, and on the eve of receiving the Priesthood, happened to be on a Sunday in my district, he would absent himself from divine service, through this improper motive; and thus, by the weight of his authority, and the force of his example, engage others to do the same. What dispositions on the eve of receiving the Priesthood! How would he like another to do to himself the same to-day? The Bishop knew of all this, and winked at it. All conspired against me: I stood alone, as it were, to be

shot at. It was impossible that, surrounded by enemies bent on my ruin, I could stand my ground. But this was the case only at St. Margaret's ; the other three chapels were always regularly and fully attended ; and the congregations at St. Peters's Bay and Souris were in a flourishing condition when I left there.

Fifth. He says " That it is unreasonable of me to ask him to vindicate my conduct from the attacks of those whom I may consider bent on injuring my reputation, as a clergyman or otherwise."

I ask any sensible and well-informed person, if, when my reputation as a clergyman is assailed, especially in another country, if I have not a right to demand of the Bishop in whose diocese I reside, a testimonial of my public conduct as a clergyman? What is the principal duty of a Bishop but that of an inspector or overseer over his clergy? And when a clergyman's reputation is attacked, whose testimony can be more effectual in his behalf than that of him whose duty it is to watch over him?

In this same letter the Bishop says, " That had accusations of a criminal nature been made against me, he would not, without an investigation and acquittal, have offered me other missions." He here seems to admit that accusations were made, but not of a criminal nature ; he already acknowledged them to have been innumerable : why then conceal them? There is a suspicion, both on this Island and in the neighbouring provinces, that they were of a criminal nature, especially as I have been deprived of my charge. He indeed did offer me another situation, but he knew that after nearly two years of constant distress of mind, after innumerable calumnies and outrages, my cour-

age must have abated ; he knew well that though I would not fear to meet any where with such bad people as at the Capes, after his own worse than open hostility, I could not put any confidence in him, or serve under his jurisdiction; he knew well that I would never again expose myself to be so ill treated. He also offered me an exeat in order to get me out of the Island. He had heard me say that it was my intention to leave the island, if I were removed, for secret reasons, and without any compensation for my losses.

By those words, " The foregoing remarks refer to the time you resigned the charge of the East Point missions," I am exculpated, by the Bishop's own testimony, from all fault whatever, up to the time of my resignation of my cure. So far, so good ; but he insinuates that after that date I committed faults which have injured the rights of others : this part of his letter is rather obscure. If another intercepted letter turned up, it might perhaps throw some light upon it. Why not particularise those faults, especially as I twice wrote him to define them? However, since by those faults the rights of others are said to have been aggrieved, I suppose that he alludes to my acception of the tithes in the Autumn of 1844, and to my advertising and removing my house.

The Elders, in their declaration, page 36, have exculpated me from both those charges.

As to the first charge, I will merely add, that my late parishioners were the best judges whether or not I was justified in accepting those tithes. They knew best how we stood as to our accounts. They knew that the salary of a year's services was still due to me. They would by no means have paid them, had they not been convinced that they were due.

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The most ignorant are clear-sighted in the matter of payments, and are not inclined to over pay. Before I gave the matter a thought, my friends in the St. Margaret's congregation came forward and offered them to me as my due. The generality of the parishioners in the East Point and Souris congregations paid them. The whole of the four congregations would, if left to their own judgment, have paid them. The people of St. Peter's were frightened from paying them, by the threats of having to pay them a second time, and of incurring the guilt of sacrilege. Those that did not pay them, did not pay them from a sense of their not being due, but from other motives ; and those that did pay them, paid them in defiance of threats.

Lastly. As to the other charge, that of removing my house, I will likewise merely add, that, had not that house been my own property, I would no more have touched it than I did the Chapel-houses at St. Peter's Bay, East Point, and Launching Place. My circumstances required of me to make use of the materials thereof, in order to fit out another house for myself. They thought that they could, under the cloak of religion, with impunity, rob me of my elegant and convenient house, and enjoy it, while I would, at the approach of winter, be myself homeless. Had even the ground on which my house stood been theirs, they would have prevented its removal, or made me suffer the consequences. But after that three of their Elders had gone to Charlottetown to prosecute me, they were obliged to desist, as they had no title to the land on which my house stood. They at first pretended that they wanted but the Chapel ; but after that I gave it up to them *gratuitously*, though I had a

heavy claim upon it, I was suspended for not giving them up, immediately, my house, and for keeping it at least until all my moveables could be transported to my new home; and because they were disappointed their prey in even this measure. They, in the language of their hypocritical cant, consider themselves aggrieved. His Lordship does not wish to dwell on these matters : he would have me, after all the injustices, ill treatment, and calumnies, that could be heaped on me, to lie contentedly under gross misrepresentation and foul calumnies.

Thus, I trust, that I have fully vindicated my reputation, and successfully proved that I have neither disgraced my cloth, nor tarnished my fame.

JOHN MACDONALD,

Catholic Clergyman.

Glenaladale, Sept. 20th, 1845.

ERRATA.—Page 23, line 25, read nothing more unchristian *than* keeping.

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